

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PLUMBERS & STEAMFITTERS LOCAL  
773 PENSION FUND, BOSTON  
RETIREMENT SYSTEM, TEAMSTERS  
LOCAL 237 ADDITIONAL SECURITY  
BENEFIT FUND, and TEAMSTERS  
LOCAL 237 SUPPLEMENTAL FUND FOR  
HOUSING AUTHORITY EMPLOYEES,  
Individually and on Behalf of All Others  
Similarly Situated,

Plaintiffs,

V.

DANSKE BANK A/S, THOMAS F.  
BORGES, HENRIK RAMLAU-HANSEN,  
JACOB AARUP-ANDERSEN, AND OLE  
ANDERSEN,

Defendants.

**No. 1:19-cv-00235 (VEC)**

***ORAL ARGUMENT REQUESTED***

## **DEFENDANTS' MOTION TO DISMISS THE THIRD AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendant Danske Bank A/S (“Danske Bank”), together with Defendants Thomas F. Borgen, Henrik Ramlau-Hansen, Jacob Aarup-Andersen, and Ole Andersen (collectively, the “Individual Defendants”), will respectfully move this Court, before the Honorable Valerie E. Caproni, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York, on a date and time designated by the Court, for an order dismissing the Third Amended Complaint (the “Complaint”) in its entirety, with prejudice, (i) pursuant to Federal Rule of Civil Procedure 12(b)(1), because this Court lacks subject matter jurisdiction over certain claims; (ii) pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6), and the Private Securities Litigation Reform Act of 1995, 78 U.S.C. §§ 78u-4 & 5 (the “PSLRA”), because the Complaint fails to state a claim upon which relief can be granted; and (iii) pursuant to Federal Rule

of Civil Procedure 12(b)(2), because the Complaint fails to sufficiently allege personal jurisdiction over the Individual Defendants.

The motion is supported by the accompanying Memoranda of Law, dated September 13, 2019, filed by Danske Bank and the Individual Defendants, the Declaration of Brian T. Frawley, dated September 13, 2019, and the proceedings to date in this action.

Dated: September 13, 2019  
New York, New York

Respectfully submitted,

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